

FISCAL NOTE

SB 3128 - HB 3328

March 28, 2006

SUMMARY OF BILL: Broadens the sentence enhancement factors of the Criminal Sentencing Reform Act of 1989 to include profiteering from victims of a natural disaster.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$16,400 / Incarceration*

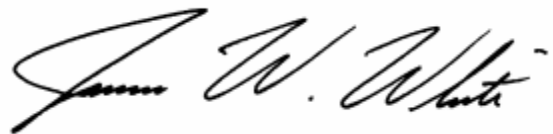
Assumptions:

- According to the U.S. Census Bureau, population growth in Tennessee has been 1.09% per year for the past ten years. No significant incarceration cost increase will occur due to population growth in this period.
- Three offenders each year convicted of a Class E felony offense of profiteering from victims of a natural disaster will serve an additional 0.3 years (109.58 days) on their sentence. According to the Department of Correction, the average operating cost per inmate per day for calendar year 2006 is \$50.02. The cost per inmate is \$5,481.19 (\$50.02 x 109.58 days). The cost for three offenders is \$16,443.57 (\$5,481.19 x 3).

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director